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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,386	09/30/2003	Tatsuya Araki	D-1534	3748
32628	7590	12/28/2005	EXAMINER	
KANESAKA BERNER AND PARTNERS LLP SUITE 300, 1700 DIAGONAL RD ALEXANDRIA, VA 22314-2848			KAO, CHIH CHENG G	
			ART UNIT	PAPER NUMBER
			2882	

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/673,386

Applicant(s)

ARAKI ET AL.

Examiner

Chih-Cheng Glen Kao

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

1. Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted elements are: an auto-lock switching means.

Regarding claim 1, claim 1 recites “said locking release holding means having a structure to be able to release said released state and return the storage box locking means to establish the locked state”. However, the original specification only discloses that the auto-lock switching means can release the released state and return the storage box locking means to establish the locked state (figs. 6a and 6b, #20). No structure of the locking release holding means (fig. 1, #14-17) can release the released state by itself. Therefore, the claim is rejected for omitting essential elements. Claims 2-10 are rejected for the above reasons by virtue of their dependency.

For purposes of examination, the claims have been examined as best understood by the Examiner as follows.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1, 9, and 10 are rejected under 35 U.S.C. 102(a) as being anticipated by Applicant's admission of prior art (AAPA).

3. Regarding claim 1, AAPA discloses X-ray equipment comprising a carriage (fig. 8, #51), an x-ray tube (paragraph 2, line 5) mounted on the carriage (fig. 8, #51) for irradiating X-rays, a cassette storage box (fig. 8, #52) pivotally attached to the carriage (fig. 8, #51) for storing a cassette with a radiographic storage medium (paragraph 2, lines 2-3), storage box locking means (fig. 8, #53) engaging a cassette storage box (fig. 8, #52) for locking the cassette storage box (fig. 8, #52) in a locked state (which has been interpreted by the Examiner as being the state during which the pin 54 is engaged with the hook 53) and locking release holding means (fig. 10, #55) attached to the storage box locking means (fig. 10, #53) for holding the storage box locking means (fig. 10, #53) in a released state (which has been interpreted by the Examiner as being the state during which the pin 54 is not engaged with the hook 53) so that the storage box locking means (fig. 10, #53) is released from the locked state (wherein the locked state has been interpreted by the Examiner as being the state during which the pin 54 is engaged with the hook 53), said locking release holding means having a structure (fig. 8, #55) for the released state (fig. 10) and the locked state (fig. 8).

4. Regarding claims 9 and 10, AAPA further discloses wherein said locking release holding means includes an elastic member (fig. 8, #55) for urging the storage box locking means (fig. 8,

#53) in the locked state (which has been interpreted by the Examiner as being the state during which the pin 54 is engaged with the hook 53) when the storage box locking means (fig. 8, #53) is locked (with the pin 54), and for urging the storage box locking means (fig. 10, #53) in the released state (which has been interpreted by the Examiner as being the state during which the pin 54 is not engaged with the hook 53) when the storage box locking means (fig. 10, #53) is released (from the pin 54), and wherein said locking release holding means (fig. 8, #55) further includes means for limiting movement (figs. 8 and 9, immovable spring engagement projection) of the storage box locking means (figs. 8 and 9, #53) between a release position (fig. 10) and a lock position (fig. 8) of the storage box (fig. 8, #52).

Allowable Subject Matter

5. Claims 2-8 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims. The following is a statement of reasons for the indication of allowable subject matter.

Regarding claim 2, prior art fails to disclose or fairly suggest an X-ray equipment including auto-lock switching means attached to storage box locking means for switching the storage box locking means from a released state to a locked state when a cassette storage box is closed, in combination with all the limitations in the claim and base claim. Claims 3-8 contain allowable subject matter by virtue of their dependency.

Response to Amendment/Arguments

6. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chih-Cheng Glen Kao whose telephone number is (571) 272-2492. The examiner can normally be reached on M - F (9 am to 5 pm).


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on (571) 272-2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



gk



EDWARD J. GLICK
SUPERVISORY PATENT EXAMINER